



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/715,014

11/17/2003

Sheyda Mostowfi

821922-1010

3275

24504

7590

04/29/2008

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP

600 GALLERIA PARKWAY, S.E.

STE 1500

ATLANTA, GA 30339-5994

EXAMINER

GRAHAM, CLEMENT B

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

04/29/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/715,014

**Applicant(s)**

MOSTOWFI, SHEYDA

**Examiner**

CLEMENT B. GRAHAM

**Art Unit**

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/9/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. claims 2 has been cancelled and 1, 3-14 remained pending and claims 15-17 has been added.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Youngblood, JR, (U.S Pub: 2003/0149647) in view Martin U.S Patent 6, 30, 547.

As per claim 1, Youngblood JR discloses in a method for collecting a debt of a debtor to a creditor, the method comprising

entering in a data processing system data at least comprising data concerning the debtor and the debt ( see column 1 para 0004-005)

permitting for the debt access for at least two parties to at least a part of the data entered in the system, and initiating an action for collecting the debt on a basis of the data entered in the database an improvement consisting of:

- a) entering accounting data regarding accounts payable to the creditor and payments to the creditor into the system (see column 2 para 0021-0022 and claim 21).

Youngblood JR fail to explicitly teach enabling a financing party providing a loan to the creditor on the payable accounts to inspect at least a part of the accounting data for determining an amount of the loan based on at least the part of the accounting data, determining a rating from the at least part of the accounting data; d) determining an amount of the loan based on the rating; and c) providing the loan in the determined amount by the financing party to the creditor.

However discloses exchange system to review the payment history and risk-return information in order to rate a particular security. For example, the credit rating agency can review the payment history of the loans used to back a particular mortgage-backed security, to determine whether the loans are likely to be prepaid or go into default.(see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Youngblood JR to include enabling a financing party providing a loan to the creditor on the payable accounts to inspect at least a part of the accounting data for determining an amount of the loan based on at least the part of the accounting data, determining a rating from the at least part of the accounting data, determining an amount of the loan based on the rating, and providing the loan in the determined amount by the financing party to the creditor taught by Heffner in order to finance debt.

As per claim 3, Youngblood JR discloses wherein the accounting data comprises one or more of a group comprising an average duration of outstandingness of the payable accounts, a peak duration of the outstandingness of the payable accounts, a total number or sum of payable accounts, a total number or sum of overdue payable accounts, a total or sum of overdue, uncollectible payable accounts. (see column 2 para 0021-0022 and claim 21).

As per claim 4, Youngblood JR discloses wherein a status is assigned to each debt indicating a progress of the debt, a new status being assigned to the debt upon detection by the system of an action or response thereto, the new status preferably depending on a current status and a contents of the action. (see column 2 para 0021-0022 and claim 21).

As per claim 5, Youngblood JR discloses comprising the further step of determining a new action from the new status and/or the contents of the action. (see column 2 para 0021-0022 and claim 21).

As per claim 6, Youngblood JR discloses comprising the step of: assigning a party responsible for the new action; and transmitting information on the new status to the party responsible for the new action. (see column 2 para 0021-0022 and claim 21).

As per claim 7, Youngblood JR discloses comprising determining the new status based on a workflow. (see column 2 para 0021-0022 and claim 21).

As per claim 8, Youngblood JR discloses further comprising assigning to each action or expected action a time limit and a party responsible for the action. (see column 2 para 0021-0022 and claim 21).

As per claim 9, Youngblood JR discloses comprising assigning a fine to the party responsible for the action, when the action is not completed upon expiry of the time

limit. (see column 2 para 0021-0022 and claim 21).

As per claim 10, Youngblood JR discloses further comprising:  
entering a criterion which, upon fulfillment thereof, initiates an action; repetitively checking a debt for fulfillment of the criterion; and initiating the action upon fulfillment of the criterion. (see column 2 para 0021-0022 and claim 21).

As per claim 11, Youngblood JR discloses wherein the criterion comprises a criterion for convicting a debtor by a court, the action comprising sending data concerning the debtor and the corresponding debt to the court. (see column 2 para 0021-0022 and claim 21).

As per claim 12, Youngblood JR discloses comprising  
30 receiving a verdict from the court and sending the verdict to the debtor(see column 2 para 0021-0022 and claim 21).

As per claim 13, Youngblood JR discloses a method for determining an amount of a loan to a banking customer, the loan being based on accounts payable to the banking customer, the method comprising a) inspecting via a data processing system at least a part of accounting data regarding the payable accounts( see column 1 para 0004-005) the accounting data comprising data relating to all accounts payable to the banking customer and having been entered by the banking customer into the system(see column 2 para 0021-0022 and claim 21).

Youngblood JR fail to explicitly determining an amount of the loan based on at least the part of the accounting data, determining a rating from the at least part of the accounting data, determining an amount of the loan based on the rating, and providing the loan in the determined amount by the financing party to the creditor.

However discloses exchange system to review the payment history and risk-return information in order to rate a particular security. For example, the credit rating agency can review the payment history of the loans used to back a particular mortgage-backed security, to determine whether the loans are likely to be prepaid or go into default.(see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Youngblood JR to include determining an amount of the loan based on at least the part of the accounting data, determining a rating from

the at least part of the accounting data, determining an amount of the loan based on the rating, and providing the loan in the determined amount by the financing party to the creditor. taught by Heffner in order to finance debt.

As per claim 14, Youngblood JR discloses wherein the system comprises a debt collecting system, the accounting data in the debt collecting system being further applied for initiating an action for collecting an amount of the payable account on a basis of the data entered in the database. (see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

As per claim 15, Youngblood JR discloses in a method for collecting a debt of a debtor to a creditor, the method comprising:  
entering in a data processing system data at least comprising data concerning the debtor and the debt( see column 1 para 0004-005)  
permitting for the debt access for at least two parties to at least a part of the data entered in the system(see column 2 para 0021-0022 and claim 21)  
and initiating an action for collecting the debt on a basis of the data entered in the database(see column 2 para 0021-0022 and claim 21).

Youngblood JR fail to explicitly teach entering a criterion which, upon fulfillment thereof, initiates an action, repetitively checking a debt for fulfillment of the criterion; and initiating the action upon fulfillment of the criterion.

However discloses exchange system to review the payment history and risk-return information in order to rate a particular security. For example, the credit rating agency can review the payment history of the loans used to back a particular mortgage-backed security, to determine whether the loans are likely to be prepaid or go into default.(see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Youngblood JR to include entering a criterion which, upon fulfillment thereof, initiates an action, repetitively checking a debt for fulfillment of the criterion; and initiating the action upon fulfillment of the criterion taught by Heffner in order to finance debt.

As per claim 16, Youngblood JR discloses wherein the criterion comprises a criterion for convicting a debtor by a court, and the action comprising sending data concerning the debtor and the corresponding debt to the court. (see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

As per claim 16, Youngblood JR discloses comprising receiving a verdict from the court and sending the verdict to the debtor. (see column 12 para 0151 and column 1 para 0230 and column 20 para 0266 and column 25 para 0323 and column 2 para 0015, 0021).

#### **Conclusion**

4. Applicant's arguments filed 1/9/08 has been fully considered but they are moot in view of new grounds of rejections.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENT B. GRAHAM whose telephone number is (571)272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3692

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantzy Poinvil/

Primary Examiner, Art Unit 3692

CG

April 14, 2008